

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>3:CR-18-0097</b>
	:	
v.	:	<b>(Judge Mariani)</b>
	:	
<b>ROSS ROGGIO</b>	:	<b>(Electronically filed)</b>

**UNOPPOSED MOTION TO CONTINUE SUPPRESSION HEARING**

AND NOW comes the Defendant, Ross Roggio, by his attorney, Gino Bartolai, Esquire, and files the following Unopposed Motion to Continue the Suppression Hearing, and in support thereof avers the following:

1. On March 20, 2018, Roggio was charged in an Indictment with conspiracy to commit an offense against the United States, in violation of Title 18, United States Code, Section 371; violations of the Arms Export Control Act, Title 22, United States Code, Sections 2778(b) and ( c); and the International Emergency Powers Act, Title 50, United States Code, Sections 1702 and 1705( c); smuggling goods from the United States, in violation of Title 18 United States Code Sections 554 and 2; wire fraud, in violation of Title 18, United States Code Section 1342; and money laundering, in violation of Title 18 United States Code, Sections 1956(a)(2)(A) and 2.

2. On March 23, 2018, Roggio appeared before Magistrate Judge Karoline

Mehalchick for an initial appearance and arraignment and entered a plea of not guilty to the charges.

3. On October 7, 2020, this Honorable Court issued an Order scheduling a suppression hearing for February 9, 2021,

4. On January 6, 2021, Roggio filed Subpoena Motions seeking the issuance of 5 subpoenas, to be served by the United States Marshal's Service, requiring the attendance of 5 federal law enforcement agents from New York State at Roggio's suppression hearing in Scranton, Pennsylvania.

5. On January 8, 2021, a conference call took place between the Court, Assistant United States Attorney Todd Hinkley, and the undersigned counsel. During the call the propriety of having the United States Marshal's Service personally serve the out-of-state federal law enforcement agents, having those agents personally appear in Scranton for the scheduled suppression hearing, as well as the fact that Roggio resides with his elder father who is suffering from serious medical conditions were discussed and, in light of the current Corona Virus Pandemic and the restrictions that it has imposed on in-court proceedings, it was determined that it would be best, for all those involved, to have the suppression hearing continued and that such a continuance would be in the best interests of justice. Further, due to the complexity of the case and the issues that will be presented at the suppression hearing, an in-person hearing should take

place instead of proceeding by video-conferencing.

6. In light of the matters set forth above, and discussed at the aforementioned conference call, the undersigned counsel hereby moves that the Court continue the Suppression Hearing for a period of at least 90 days,

7. Assistant United States Attorney Todd K. Hinkley has been contacted about the substance of this motion and stated that he does concur in it.

8. The delay occasioned by this motion is excluded from the speedy trial calculation pursuant to 18 U.S.C. § 3161(h)(8)(A).

WHEREFORE, the Defendant, Ross Roggio, respectfully requests that this Honorable Court issue an Order continuing the Suppression Hearing for a period of at least 90 days.

Respectfully submitted,

Date: January 17, 2021

s/Gino Bartolai  
**Gino Bartolai, Esquire**  
**Attorney ID# PA 56642**

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Pittston, Pennsylvania 18640  
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Attorney for Ross Roggio

**CERTIFICATE OF CONCURRENCE**

I, Gino Bartolai, Esquire, certify that on this date I contacted Todd K. Hinkley, Assistant United States Attorney, who advised that he does concur in the within **Motion to Continue Suppression Hearing**.

Date: January 17, 2021

s/Gino Bartolai  
**Gino Bartolai, Esquire**

**CERTIFICATE OF SERVICE**

I, Gino Bartolai, Esquire, do hereby certify that I electronically served, via e-mail, a copy of the foregoing **Motion to Continue Suppression Hearing**, to the following

Todd. K. Hinkley, Esquire  
Assistant United States Attorney

and by placing the same in the United States mail, first class, postage prepaid, at Scranton, Pennsylvania, addressed to the following:

Ross Roggio

Date: January 17, 2021

s/Gino Bartolai  
**Gino Bartolai, Esquire**